

POC/DES/JCZ/njj  
October 9, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David M. Knight and  
Scott Siegel

PT#5

Application No.: 09/927,703 Group Art Unit: 1642

Filed: August 10, 2001 Examiner: Not Assigned

Confirmation No.: 8249

Title: ANTI-TNF ANTIBODIES AND PEPTIDES OF HUMAN TUMOR NECROSIS  
FACTOR

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on 10-9-02	<i>Linda M. Amato</i>
Date	Signature
Linda M. Amato	
Typed or printed name of person signing certificate	

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OCT 16 2002

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THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202 20231

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. ( ), to which priority under 35 U.S.C. 120 is claimed. The earlier application contains copies of the cited references.
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☒ The "concise explanation" requirement (non-English references) for references AP8 and AQ8 under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☒ the enclosed English language abstracts and also reference AB3, which is a U.S. equivalent of AP8.

[X] Applicant requests that the following pending applications be considered:

Examiner's  
Initials

\_\_\_\_\_  
U.S. Patent Application No. 10/227,488, by Junming Le, Jan Vilcek, Peter Daddona,  
John Ghrayeb, David M. Knight and Scott Siegel, filed August 23, 2002, Docket No.:  
0975.1005-025

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

- [X] The specification for the above cited co-pending application is identical to the present specification (09/927,703). Therefore, only a copy of the current claims for this application is enclosed. Copies of the specification of the co-pending applications will be provided upon request.
- [ ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- [ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- [ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: October 9, 2002

PTO-1449 REPRODUCED				ATTORNEY DOCKET NO. 0975.1005-013		APPLICATION NO. 09/927,703	
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <b>OCT 15 2002</b> October 9, 2002 (Use several sheets if necessary)				APPLICANT Junming Le et al.			
				FILING DATE August 10, 2001		GROUP 1642	
<b>U.S. PATENT DOCUMENTS</b>							
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AJ2	4,816,567	03/28/89	Cabilly et al.			
	AK2	5,075,236	12/24/91	Yone et al.			
	AA3	5,959,087	09/28/99	Rathjen et al.			
	AB3	5,360,716	11/01/94	Ohmoto, Y. et al.			
							<b>RECEIVED</b> <b>OCT 16 2002</b> <b>TECH CENTER 1600/2900</b>
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES      NO
	AO8	WO92/01059	23 JAN 92	PCT			
	AP8	02-227095	10 SEP 90	JP			X
	AQ8	61-047500	07 MAR 86	JP			X
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	AR12	Yan, L. et al., "Preparation and Characterization of Monoclonal Antibodies Against Recombinant Human Tumor Necrosis Factor Alpha", <i>Chinese J. Biotechnology</i> , 7(2):121-126 (1991).					
	AS12	Mateo, C. et al., "Removal of Amphipathic Epitopes from Genetically Engineered Antibodies: Production of Modified Immunoglobulins with Reduced Immunogenicity", <i>Hybridoma</i> , 19(6):463-471 (2000).					
	AT12	Paul, W.E. (Ed.), <i>Fundamental Immunology</i> , 3 <sup>rd</sup> Edition, Pub. Raven Press Ltd., pp. 292-293 (1993).					
	AU12	Borrebaeck, C.A.K. (Ed.), <i>Antibody Engineering</i> , 2 <sup>nd</sup> Edition, Pub. Oxford University Press, p. 291 (1995).					
	AV12	Socher, S. et al., "Antibodies against amino acids 1-15 of tumor necrosis factor block its binding to cell-surface receptor", <i>Proc. Natl. Acad. Sci., USA</i> 84:8829-8833 (1987).					
	AW12	Goh, C., "Tumour Necrosis Factors in Clinical Practice", <i>Annals of the Academy of Medicine</i> , 19(2):235-239 (1990).					
EXAMINER				DATE CONSIDERED			

